

Chapter 18.28

TUD THEME UNIT DEVELOPMENT DISTRICT

Sections:

- 18.28.010 Purpose of district.
- 18.28.020 Permitted uses.
- 18.28.030 Conditional uses.
- 18.28.040 Site development--Principles and standards.
- 18.28.050 District establishment--Initiation.
- 18.28.060 District establishment--Application.
- 18.28.070 Development plan--Contents.
- 18.28.080 Development plan--Schedule for construction.
- 18.28.090 Schedule--Zoning administrator report.
- 18.28.100 Schedule--Failure to comply--Remedies.
- 18.28.110 Extension of time limits.
- 18.28.120 Additional required conditions.

18.28.010 Purpose of district.

The theme unit development district is intended to provide and encourage the development of nonresidential land uses directly related to the business of entertaining and supplying specialized services or specialized retail sales to the general tourist and local resident. (Ord. 559 N.S. § A (part), 1981)

18.28.020 Permitted uses.

The following uses shall be permitted in the TUD theme unit development district:

- A. Motels;
- B. Restaurants;
- C. Tourist-oriented uses;
- D. Souvenir shops;
- E. Art galleries;
- F. Photo supply stores;
- G. Confectionery shops;
- H. Specialty shops. (Ord. 559 N.S. § A (part), 1981)

18.28.030 Conditional uses.

The following uses may be conditionally allowed in the TUD theme unit development district, subject to issuance of a conditional use permit in accordance with Chapter 18.54:

- A. Drive-in establishments;
- B. Convenience markets;
- C. Off-site pole or pylon freeway-oriented signs pursuant to Section 18.76.270.C.4. and Section 18.76.075;
- D. Commercial recreation;
- E. Any other use which the planning commission finds will be similar in nature to the permitted or conditional uses specified in this chapter for the TUD zoning district. (Ord. 1307 N.S. § 6, 1996; Ord. 1215 N.S. § 28, 1995; Ord. 1134 N.S. § 4, 1993; Ord. 1055 N.S. § C (part), 1991; Ord. 846 N.S. § 1 (part), 1987; Ord. 559 N.S. § A (part), 1981)

18.28.040 Site development--Principles and standards.

The following site development principles and standards shall apply in the theme unit development district in lieu of traditional commercial setback and building coverage limitations:

- A. The development theme shall be carried out throughout the entire project.
- B. Architectural harmony and unity shall be encouraged, to establish a strong identity and character within the development and with the neighboring area.
- C. Natural and man-made amenities of a unique and/or distinctive character shall be retained and incorporated into the development plans when the amenity is in conformance with an overall theme.
- D. Commercial development is encouraged to vary building placement through the use of open plazas, pedestrian malls and other public spaces and uses with adequate landscape planting.
- E. Basic building coverage will be dictated by parking requirements established in Chapter 18.50 of this title, and the setback requirements as stated within this chapter.
- F. Any parcel designated as a theme unit development shall be at least three acres.
- G. Along any boundary line of a theme unit development district, a buffer yard shall be provided. The yard's minimum width shall be twenty-five feet in the front, fifteen feet for the side yards, and twenty-five feet for the rear yard. These yard areas shall be fully landscaped. The buffer yard requirements shall act as setbacks.
- H. Any theme unit development area along the South Valley Freeway shall require a thirty-foot rear yard instead of twenty-five feet. Additionally, the only allowable use along this rear yard shall be a bermed, landscaped buffer or other approved landscaping method. The rear

yard shall be landscaped with hedges, evergreens, shrubbery or other suitable planting. The landscaping shall be maintained so as to present an aesthetically pleasing appearance as viewed from the freeway.

I. Side Street Side Yard. A side yard along the side street lot line of a corner lot shall have a width of not less than fifteen feet or one-half the required depth of the front yard, whichever is greater.

J. Cul-de-sac lot width, minimum of forty feet as measured along the front property line. (Ord. 899 N.S. §§ 6 (part), 22 (part), 1989; Ord. 559 N.S. § A (part), 1981)

18.28.050 District establishment--Initiation.

TUD districts may be established upon the application of a property owner or upon the initiative of the city council or the planning commission, in accordance with the procedures set forth in Chapter 18.62 of this title. A development plan shall not be required for city-initiated district designations. (Ord. 559 N.S. § A (part), 1981)

18.28.060 District establishment--Application.

Application for a TUD district shall be accompanied by ten copies of a development plan prepared in a manner acceptable to the city engineer, showing basic land-use pattern, lot sizes, structure location, and schematic architectural elevations. (Ord. 559 N.S. § A (part), 1981)

18.28.070 Development plan--Contents.

A development plan for a TUD shall contain the following elements:

A. A map showing any street system and lot design proposed within the district. Any areas proposed to be dedicated or reserved for parks, parkways, playgrounds, school sites, public buildings and other such uses must be shown. Compliance with these requirements shall not be construed to relieve the applicant from compliance with the Subdivision Ordinance (Title 17 of this code), or any other applicable ordinance of the city;

B. If required by the zoning administrator, a map showing the topography of the proposed district at five-foot contour intervals shall be submitted;

C. A plot plan for each building site or sites in the proposed TUD district, or any portion thereof, as required by Division I of this title. The required plot plan shall show the approximate location of all proposed buildings and property, or building site lines;

D. Any or all of the following plans and diagrams may also be required by the zoning administrator or similar information may be required to be included on the plot plan or appended thereto:

1. Off-street parking and loading plan. Such a plan may be presented in terms of a ratio between off-street parking and loading spaces and the building floor area, if accompanied by an "example" plan demonstrating the feasibility of the proposed ratio,

2. A circulation diagram indicating the proposed movement of vehicles, goods and pedestrians within the TUD district, and the interphase to and from adjacent public thoroughfares. Any special engineering features and traffic-regulation devices needed to facilitate or insure the safety of this circulation pattern shall be shown,

3. Landscaping and tree-planting plans shall be required for all uses. The applicant shall not be relieved of the street tree requirements of Title 17 and the Subdivision Ordinance;

E. Elevation and/or perspective drawing of a proposed structure. Such drawings need not be the result of final architectural decisions and need not be in detail. The purpose of such drawings is to indicate within stated limits the height of proposed buildings and the general appearance of the structures, to the end that the entire development will have architectural unity and be in harmony with surrounding developments. (Ord. 559 N.S. § A (part), 1981)

18.28.080 Development plan--Schedule for construction.

An application for a TUD district shall be accompanied by the development schedule indicating to the best of the applicant's knowledge the approximate date on which construction of the project can be expected to begin, the anticipated rate of development, and the completion date. The development schedule, if approved by the city council, shall become a part of the development plan and shall be adhered to by the owner of the property in the TUD district and his successors in interest. (Ord. 559 N.S. § A (part), 1981)

18.28.090 Schedule--Zoning administrator report.

From time to time, the zoning administrator shall compare the actual development accomplished in the various TUD districts and approved development schedule, and shall report his findings to the planning commission. (Ord. 559 N.S. § A (part), 1981)

18.28.100 Schedule--Failure to comply--Remedies.

If, in the opinion of the planning commission, the owner or owners of property in TUD districts is or are failing or have failed to meet the approved development schedule, the commission may initiate processing to remove the TUD district from the zoning map, or to amend the development plan. (Ord. 559 N.S. § A (part), 1981)

18.28.110 Extension of time limits.

For good cause shown by the property owner in writing, prior to the expiration of the original time schedule for the development, the planning commission may, without a public hearing, recommend a change or extension of the time limits imposed by the development schedule. Upon receipt of the recommendation of the planning commission, the city council may change or extend the time limits imposed by the development schedule. (Ord. 559 N.S. § A (part), 1981)

18.28.120 Additional required conditions.

A. Architectural and site plan approval shall be required of all uses situated on sensitive sites, as defined in Chapter 18.74 of this title.

B. Where any lot in the general commercial district abuts residentially zoned property, a twenty-five-foot minimum setback shall apply. (Ord. 1111 N.S. § 18, 1992; Ord. 559 N.S. § A (part), 1981)